

Notice of Allowability

Application No.

10/666,672

Applicant(s)

PREVENDAR, TERENCE

Examiner

JOHN D PAK

Art Unit

1616

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☐ This communication is responsive to ____.
2. ☒ The allowed claim(s) is/are 9-17 [renumbered as 1-9].
3. ☐ The drawings filed on ____ are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).


* Certified copies not received: ____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date ____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date ____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 8/29/03
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date ____.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other ____.


JOHN PAK
PRIMARY EXAMINER
GROUP 1600

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Claims 9-17 are pending in this application.

An Examiner's Amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization of this Examiner's Amendment was given in a telephone interview with Mr. Lesht on 5/13/2004.

Rewrite claim 9 as follows:

Claim 9 (Amended) A method of making an improved hemostatic composition comprising the steps of:

preparing a slurry comprising (a) a hemostatic agent selected from the group consisting of ferric sulfate, ferric subsulfate and mixtures thereof; (b) aluminum chloride; (c) aluminum ammonium sulfate; and (d) regenerated oxidized cellulose;

preparing a substantially dry composition by dehydrating said slurry; and,
preparing a paste composition by adding sufficient solvent to said dry composition to reconstitute said dry composition into a paste like consistency.

Claim 12, line 2: delete "sulfate (sub.)" and insert --- subsulfate --- .

Claim 14, line 5: delete "21.5%" and insert --- 21.5 wt% --- .

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Claim 14, line 6: delete "sulfate (sub)" and insert --- subsulfate --- .

Claim 14, line 6: delete "30%" and insert --- 30 wt% --- .

Claim 16, line 2: delete "sulfate (sub.)" and insert --- subsulfate --- .

In the **Specification**, in applicant's Replacement Paragraph [0001], **line 2:**
after "February 8, 2002," insert --- which is now U.S. Patent No. 6,652,840, --- .

The following is an examiner's statement of reasons for allowance:

At the outset, it is noted for the record that the composition made by the process claimed herein is the subject of U.S. Patent No. 6,652,840.

The instant claims are directed to a method of making an improved hemostatic composition by combining ferric sulfate/ferric subsulfate, aluminum chloride, aluminum ammonium sulfate (alternatively referred to as ammonium aluminum sulfate), and regenerated oxidized cellulose (alternatively referred to as oxidized regenerated cellulose). The components are prepared as a slurry, substantially dehydrated, and reconstituted to a paste-like consistency with a solvent. The prior art does not disclose or suggest such a process or method with the claim-recited components. In view of the therapeutic advantages obtained by the resultant composition as shown by specification examples 1-6 in

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paragraphs [0032] to [0037], the claimed invention as a whole is deemed to be patentable.


Chemical Abstracts 126:207324 is cited to further show the state of the art.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

A facsimile center has been established in Technology Center 1600. The hours of operation are Monday through Friday, 8:45 AM to 4:45 PM. The telecopier number for accessing the facsimile machines is (703) 872-9306.

Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Examiner John Pak whose telephone number is (571)272-0620. The Examiner can normally be reached on Monday through Friday from 8:00 AM to 4:30 PM. If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's SPE, Mr. Thurman Page, can be reached on (571)272-0602.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (571) 272-1600.


JOHN PAK
PRIMARY EXAMINER
GROUP 1600